

12/2003

A. G. Contract No. KR00 1630TRN
 ADOT ECS File No. JPA 00-140
 Project: 70 GI 254 H5307 01C
 Section: US-70 @ SR-77 Intersection and
 US-70 MP 253.23 - MP 234.2

INTERGOVERNMENTAL AGREEMENT
 BETWEEN
 THE STATE OF ARIZONA
 AND
 THE CITY OF GLOBE

THIS AGREEMENT is entered into 9th November, 2000,
 pursuant to Arizona Revised Statutes, Sections 11-951 through 11-954, as amended, between
 the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the
 "State") and the CITY OF GLOBE, ARIZONA, acting by and through its MAYOR and CITY
 COUNCIL (the "City").

I. RECITALS

1. The State is empowered by Arizona Revised Statutes Section 28-401 to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has delegated to the undersigned the authority to execute this agreement on behalf of the State.

2. The City is empowered by Arizona Revised Statutes Section 48-572 to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has authorized the undersigned to execute this agreement on behalf of the City.

3. Incident to a street lighting improvement project on the South side of US-70 (beginning at MP 253.3 Eastward through the intersection of SR-77 to MP 234.2) contemplated by the State, to include a rumble strip, post mounted delineators, loop detectors, and restriping, at a currently estimated cost of \$172,700 00, hereinafter referred to as the Project, the City has agreed to participate in the Project by providing electrical energy to operate the lighting.

THEREFORE, in consideration of the mutual agreements expressed herein, it is agreed as follows:

24316

NO

Filed with the Secretary of State
 Date Filed: 11/09/00

Walter Boyles
 Secretary of State

DICKY D. Shannewald

Post-It® Fax Note	7671	Date	10/8/03	# of pages	9
To	LISA	From	DICKY		
Co./Dept.	ADOT	Co.	SOS		
Phone #		Phone #			
Fax #	602-712-9424	Fax #			

II. SCOPE OF WORK

1. The State will:

a. Provide to State standards design plans, specifications and such other documents and services required for construction bidding and construction. Incorporate or resolve City review comments.

b. Call for bids and award one or more contracts for the Project. Administer same and make all payments to the contractor(s). Be responsible for all costs associated with the Project, and for any contractor claims for extra compensation due to delays or whatever reason attributable to the State.

c. Upon completion, approve and accept the Project on behalf of the parties hereto, and provide maintenance to the roadway within the State right-of-way.

2. The City will:

a. Review the design documents and provide comments.

b. Upon completion and acceptance by the State, provide maintenance to the lighting, and electrical energy to operate the lighting, all at City expense.

III. MISCELLANEOUS PROVISIONS

1. This agreement shall remain in force and effect until completion of said Project; provided, however, that this agreement, except any provisions herein for maintenance, which shall be perpetual, may be cancelled at any time prior to the award of a Project construction contract, upon thirty (30) days written notice to the other party.

2. This agreement shall become effective upon filing with the Secretary of State

3. This agreement may be cancelled in accordance with Arizona Revised Statutes Section 38-511.

4. The provisions of Arizona Revised Statutes Section 35-214 are applicable to this contract.

5. In the event of any controversy which may arise out of this agreement, the parties hereto agree to abide by required arbitration as is set forth for public works contracts in Arizona Revised Statutes Section 12-1518.

6. All notices or demands upon any party to this agreement shall be in writing and shall be delivered in person or sent by mail addressed as follows:

Arizona Department of Transportation
Joint Project Administration
205 South 17 Avenue, Mail Drop 616E
Phoenix, AZ 85007

City of Globe
Public Works Director
150 N. Pine Street
Globe, AZ 85501


7. Attached hereto and incorporated herein is the written determination of each party's legal counsel that the parties are authorized under the laws of this state to enter into this agreement and that the agreement is in proper form.

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

CITY OF GLOBE

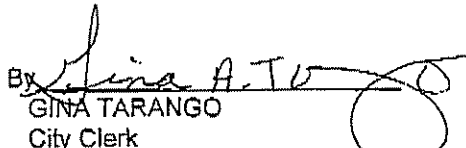
STATE OF ARIZONA

Department of Transportation

By 
STANLEY M. GIBSON
Mayor

By 
WILLIAM J. HIGGINS
Deputy State Engineer

ATTEST

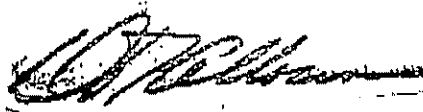
By 
GINA TARANGO
City Clerk

JPA 00-140

RESOLUTION

BE IT RESOLVED on this 24th day of August 2000, that I, the undersigned MARY E. PETERS, as Director of the Arizona Department of Transportation, have determined that it is in the best interests of the State of Arizona that the Department of Transportation, acting by and through the Intermodal Transportation Division, to enter into an agreement with the City of Globe for the purpose of defining responsibilities for the construction of improvements to US-70 and SR-77.

Therefore, authorization is hereby granted to draft said agreement which, upon completion, shall be submitted to the Deputy State Engineer for approval and execution.



DAVID R. ALLOCCO, P.E.
Assistant State Engineer
Engineering Technical Group
for Mary E. Peters, Director

CITY OF GLOBE
REGULAR MEETING MINUTES
MUNICIPAL BUILDING 150 NORTH PINE STREET GLOBE, ARIZONA
SEPTEMBER 18, 2000 6:00 P.M.

The meeting was called to order by Mayor Gibson at 6:00 P.M.

The Invocation was given by Shirley Rittenbach, followed by the Pledge of Allegiance led by Bill Taylor.

ROLL CALL

Councilpersons present: Wheeler, Moya, Kieren, Bittner, Lopez and Johnson
Councilpersons absent: None
Legal Counsel present: City Attorney Tiff

Councilwoman Johnson moved to approve the minutes of the previous meeting with the change showing Councilman Bittner absent from the September 5, 2000 meeting. Seconded by Councilman Wheeler.

CORRESPONDENCE

None.

COUNCIL CONSIDERATIONS

1. REQUEST TO CONSIDER AND POSSIBLY APPROVE THE ACCOUNTS PAYABLE LIST FOR THE TWO WEEKS ENDING SEPTEMBER 14, 2000, AS PRESENTED

Councilman Moya moved to approve the accounts payable as presented. Seconded by Councilwoman Kieren.

Motion carried unanimously.

2. REQUEST TO CONSIDER AND POSSIBLY AWARD THE BID FOR JANITORIAL SERVICES AND OTHER AS NEEDED SPECIAL CLEANING RELATED SERVICES TO L.A. GALLEGOS JANITORIAL AS RECOMMENDED AND TO AUTHORIZE THE CITY MANAGER TO ISSUE THE PURCHASE ORDER TO COMMENCE THESE SERVICES

Councilman Moya moved to award the bid for janitorial services to L.A. Gallegos for \$485.00 per month to clean City Hall. Seconded by Councilwoman Johnson.

Councilman Lopez asked if confidentiality concerns were still an issue. City Manager Vyas stated that this is a family owned business, whereas, employees would be family members only.

Motion carried unanimously.

3. REQUEST TO CONSIDER AND POSSIBLY APPROVE THE PROPOSED INTERGOVERNMENTAL AGREEMENT BETWEEN THE STATE OF ARIZONA AND THE CITY OF GLOBE FOR TRAFFIC SAFETY AND LIGHTING PROJECT FOR US-70 IN EAST GLOBE AND AUTHORIZE THE MAYOR TO EXECUTE THE AGREEMENT

City Manager Vyas stated that the proposed project is a street lighting improvement project on the South side of US 70 from Hunter Drive / Saguaro Dr. to the intersection of Hwy 77/Hwy 70.

Bill Taylor of KISS FM expressed his concern of the lights being placed on the sidewalks preventing handicapped individuals from using the sidewalks.

Councilman Wheeler moved to direct the City Manager and City Attorney to draft a resolution to the State to implement the sidewalk project with ADOT. Seconded by Councilman Lopez.

Motion carried unanimously.

4. REQUEST TO CONSIDER AND POSSIBLY APPROVE THE CITY'S ACCEPTANCE OF THE TEA-21 ENHANCEMENT FUND GRANT AWARD, INCLUDING THE CITY'S COMMITMENT TO PROVIDE \$14,859 OF THE REQUIRED CITY'S MATCHING FUNDS TO RECEIVE THE TOTAL GRANT AWARD IN THE AMOUNT OF \$267,704 FOR TWO GATEWAY PROJECTS AT THE INTERSECTIONS OF HWY 60 WITH OAK STREET AND HILL STREET IN DOWNTOWN GLOBE

The Council is in receipt of the proposed application of the TEA-21 Enhancement Fund Grant which would provide funding for two gateway projects in the amount of \$267,704.00 at the intersections of Hwy 60 at Oak Street and Hill Street. The City's commitment is \$14,859.00.

Councilman Moya asked if plans were available for viewing of this project. City Manager Vyas stated that a drawing is available which was sketched by Lois Monarrez.

Councilwoman Kieren moved to approve the TEA-21 application for submittal in the amount of \$267,704. Seconded by Councilman Moya.

Motion carried unanimously.

5. REQUEST TO CONSIDER AND POSSIBLY APPROVE GLOBE DOWNTOWN ASSOCIATION'S APPLICATION FOR A SPECIAL EVENT LIQUOR LICENSE FOR A FAMILY REUNION EVENT SCHEDULED FOR SEPTEMBER 30, 2000, AT THE IBEW LOCAL 518 UNION HALL

The Council is in receipt of a special event liquor license for a family reunion on September 30, 2000, at the IBEW Local 518 Union Hall. Connie Teague, Director of the Globe Downtown Association stated that because a third party will sell alcohol as a fundraiser, the approval by the City Council is necessary.

Councilwoman Kieren moved to approve the special event liquor license as presented. Seconded by Councilwoman Johnson.

Motion carried unanimously.

6. PRESENTATION BY THE FIVE ORGANIZATIONS RECEIVING THE CITY'S BED TAX FUNDS (SOUTHERN GILA COUNTY ECONOMIC DEVELOPMENT CORPORATION, GREATER GLOBE-MIAMI CHAMBER OF COMMERCE, GLOBE DOWNTOWN ASSOCIATION, COBRE VALLEY CENTER FOR THE ARTS AND GILA COUNTY HISTORICAL SOCIETY) TO REQUEST THE CITY COUNCIL TO POSSIBLY CONSIDER REPLACEMENT OF THE CURRENT (3%) BED TAX WITH A 1.5% BBB TAX (BED, BOARD, AND BOOZE TAX) EFFECTIVE JANUARY 1, 2001 (PRESENTATION ONLY, NO COUNCIL ACTION WILL BE TAKEN)

The Council is in receipt of a letter from the Globe Downtown Association, Cobre Valley Center for the Arts, Gila County Historical Society and the Southern Gila County Economic Development Corporation asking the Council to consider a 1.5% BBB tax by November 1, 2000. The four petitioned entities proposed that funds be divided equally after the \$17,500.00 distribution to Besh Ba Gowah.

Jerry Kohlbeck, President of the Globe-Miami Chamber of Commerce, addressed the Council asking them to consider a .25% increase in taxes rather than a BBB tax. He stated that over a period of a year the .25% sales tax could generate approximately \$283,000.00.

It was the consensus of the Council to continue this discussion in two or three weeks.

Stella Burgett, owner of the Tap Room, addressed the Council stating that she is in disagreement with the BBB tax, because tourists eat, drink, sleep and shop.

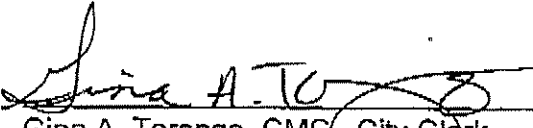
PRESENTATIONS FROM THE PUBLIC

1. Ed Carpenter introduced Mary Ann Moreno, new EDC Director to the Council.

The meeting adjourned at 6:40 P.M.

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the City Council of the City of Globe held on the 18th day of September, 2000. I further certify that the meeting was duly called and held and that a quorum was present.



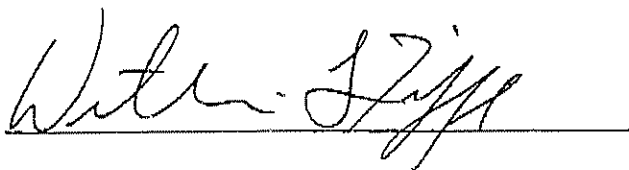

Gina A. Tarango, CMC, City Clerk

JPA 00-140

APPROVAL OF THE GLOBE CITY ATTORNEY

I have reviewed the above referenced proposed intergovernmental agreement, between the DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION, and the CITY OF GLOBE and declare this agreement to be in proper form and within the powers and authority granted to the City under the laws of the State of Arizona.

DATED this 18th day of September, 2000.

A handwritten signature in cursive script, appearing to read "Walter Jiff", is written over a horizontal line.

City Attorney



STATE OF ARIZONA

OFFICE OF THE ATTORNEY GENERAL

1275 WEST WASHINGTON, PHOENIX, AZ. 85007-2928

JANET NAPOLITANO
ATTORNEY GENERAL

TRN Main: (602) 542-1680
Direct: (602) 542-8855
Fax: (602) 542-3646

MAIN PHONE: (602) 542-5025
FACSIMILE: (602) 542-4085

INTERGOVERNMENTAL AGREEMENT
DETERMINATION

A.G. Contract No. KR00-1630TRN, an agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATED: November 2, 2000

JANET NAPOLITANO
Attorney General

A handwritten signature in cursive script, reading "Susan E. Davis".

SUSAN E. DAVIS
Assistant Attorney General
Transportation Section

SED:ggt

Enc.

654428

A long, sweeping handwritten signature or mark, possibly a stylized "S" or a signature, located at the bottom right of the page.